

Message Text

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ORIGIN IO-10

INFO OCT-01 EUR-12 EA-06 NEA-09 ISO-00 CIAE-00 DODE-00

PM-03 H-02 INR-07 L-02 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 CU-02 OIC-02 VO-03 SCA-01 SY-05

INSE-00 /095 R

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FM SECSTATE WASHDC

TO AMEMBASSY BONN

AMEMBASSY PARIS

USMISSION USUN NEW YORK

INFO AMEMBASSY BRUSSELS

AMEMBASSY CANBERRA

AMEMBASSY ROME

AMEMBASSY TOKYO

AMEMBASSY TEL AVIV

AMEMBASSY LONDON

AMEMBASSY OSLO

AMEMBASSY VIENNA

AMEMBASSY THE HAGUE

USMISSION GENEVA

AMEMBASSY BERN

C O N F I D E N T I A L STATE 096615

E.O. 11652:GDS

TAGS: PORG, UNESCO, PLO, UN

SUBJECT: PLO OBSERVER STATUS AT UN

REF: A) USUN 1341 (NOTAL); B) PARIS 10168 (NOTAL);

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C) BONN 6361 (NOTAL)

1. CITED CABLES HAVE RAISED QUESTIONS AS TO STATUS OF PLO IN NEW YORK. THE FOLLOWING PARAS ARE FOR INFORMATION OF ADDRESSEES.

2. DEPARTMENT AUTHORIZED BEIRUT TO GRANT VISA TO PLO OBSERVER ZUHDI TARAZI APRIL 15. THIS IS B-1 VISA FOR ONE ENTRY AT NEW YORK BEFORE JULY 31, 1975, FOR INITIAL PERIOD OF SIX MONTHS. WAIVER OF HIS INELEGIBILITY FOR ADMISSION TO US UNDER IMMIGRATION AND NATIONALIZATION ACT WAS OBTAINED TO MEET US OBLIGATION UNDER HEADQUARTERS AGREEMENT. HE IS CONSIDERED REPRESENTATIVE OF PLO "OBSERVER OFFICE" AT UN ONLY AND HE IS NOT TO ENGAGE IN ANY ACTIVITY OTHER THAN THAT FOR WHICH HE WAS INVITED BY UN.

3. ALTHOUGH C-2 TRANSIT VISAS, WHICH NORMALLY LIMIT A TRAVELLER TO A MAXIMUM STAY OF 29 DAYS IN NEW YORK AND AN AREA WITHIN 25 MILES OF COLUMBUS CIRCLE, WERE ISSUED TO PLO MEMBERS INVITED TO UNGA DEBATE ON PALESTINIAN QUESTION IN NOVEMBER, 1974, DEPT DECIDED THAT B-1 VISAS WERE MORE APPROPRIATE AS THEY ARE TYPE ISSUED IN PAST TO REPRESENTATIVES OF ORGANIZATIONS OF THIS KIND.

4. TRAVEL RESTRICTIONS TO AN AREA WITHIN A 25-MILE RADIUS OF COLUMBUS CIRCLE WILL BE PLACED ON PLO REPRESENTATIVES TO OBSERVER OFFICE, AS WE HAVE DONE ON OTHER OCCASIONS, MOST NOTABLY IN THE CASE OF REPRESENTATIVES OF STATES WE DO NOT RECOGNIZE. THESE WILL BE COMMUNICATED BY USUN TO PLO OBSERVER OFFICE UPON TARAZI'S ARRIVAL, ON PLAIN BOND PAPER WITHOUT US MISSION LETTERHEAD AND OMITTING THE USUAL DIPLOMATIC ADDRESS. NOTIFICATION TO TRAVEL OUTSIDE OF 25-MILE AREA MUST BE GIVEN TO USUN 48 HOURS IN ADVANCE, AND IF AUTHORIZATION NOT GRANTED PLO OFFICE WILL BE NOTIFIED.

6. USUN IS INFORMING PLO OBSERVERS THAT THEIR PRIVILEGES ARE LIMITED TO THOSE UNDER SECTIONS 11 AND 13 OF HEADQUARTERS AGREEMENT, BUT THAT THIS IS NO WAY DISCRIMINATORY SINCE THIS IS MATTER OF US LAW AND NOT USG
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DISCRETION. SECTION 11 REQUIRES US, FEDERAL, STATE AND LOCAL AUTHORITIES TO REFRAIN FROM IMPOSING ANY IMPEDIMENTS TO TRANSMIT TO END FROM THE HEADQUARTERS DISTRICT BY ANY PERSONS INVITED BY THE UN ON OFFICIAL BUSINESS AND TO AFFORD NECESSARY PROTECTION TO SUCH PERSONS WHILE IN TRANSIT. SECTION 13 OBLIGATES THE USG TO GRANT VISAS AS REQUIRED AND NOT TO APPLY LAWS REGARDING ENTRY OR RESIDENCE OF ALIENS IN SUCH A MANNER AS TO REQUIRE THAT

THEY LEAVE THE US BECAUSE OF ANY ACTIVITIES CONDUCTED IN AN OFFICIAL CAPACITY. SUCH PERSONS HOWEVER, MAY, UNDER THE HEADQUARTERS AGREEMENT, BE REQUIRED TO LEAVE THE US IN THE CASE OF ABUSE OF PRIVILEGES OF RESIDENCE. PLO OBSERVERS OR OTHER OBSERVERS FROM LIBERATION MOVEMENTS ARE NOT ENTITLED TO ANY OTHER PRIVILEGES (NOR ANY IMMUNITIES) UNDER THE HEADQUARTERS AGREEMENT OR TO ANY OF THOSE UNDER THE CONVENTION ON PRIVILEGES AND IMMUNITIES OF THE UN OR THE INTERNATIONAL ORGANIZATION IMMUNITIES ACT, (PL-291, 79TH CONGRESS) BECAUSE THEY ARE NOT REPRESENTATIVES OF STATES. PLO OBSERVERS, THEREFORE, WOULD NOT BE ENTITLED TO DUTY-FREE PRIVILEGES, TAX EXEMPTIONS OR IMMUNITY FROM ARREST AND PROSECUTION UNDER LOCAL STATE OR FEDERAL LAW.

REPRESENTATIVES ARE IN THE US ONLY IN CONNECTION WITH UN AT UN'S INVITATION, AND THAT THEY ARE NOT ENTITLED TO ANY PRIVILEGES EXCEPT THOSE UNDER SECTION 11 AND 13 OF THE HEADQUARTERS AGREEMENT.

7. DEPT AGREES WITH USUN (REFTEL A) THAT RESOLUTION 3237, WHICH SPEAKS IN PARAGRAPH 3 OF PLO PARTICIPATION "IN SESSIONS AND WORK OF ALL INTERNATIONAL CONFERENCES CONVENED UNDER THE AUSPICES OF OTHER ORGANS OF THE UN" DOES NOT RELATE TO REPORTED MOVE AT UNESCO EXBD TO GRANT PLO PERMANENT OBSERVER STATUS AT UNESCO HEADQUARTERS. KISSINGER

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Message Attributes

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